

IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:)
)
JASON & AMANDA SMITH) CHAPTER: 13
SSN: XXX-XX-3976; XXX-XX-4639) CASE NO.: 15-03122
105 BRIAR PATCH DRIVE) JUDGE: LUNDIN
SHELBYVILLE TN 37160-9701)
)
Debtor)

EXPEDITED MOTION TO EXTEND AUTOMATIC STAY PROVISIONS OF 11 U.S.C. §362

COME THE DEBTORS, through counsel Edgar M. Rothschild, III, and pursuant to Local Rule 9075-1 respectfully move the Court as follows:

1) Expedited Relief Requested: Pursuant to 11 U.S.C. §362(c)(3)(B), the Debtors request that this Court extend the automatic stay provisions of 11 U.S.C. §362(a), as to all creditors beyond the 30th day after the filing of this case indefinitely pending further orders of this Court.

2) Reason for Urgency: The Debtors request that the Court hear this Motion on an expedited basis for the following reasons: Prior to the commencement of this case, the Debtors commenced the bankruptcy case styled In Re: Jason & Amanda Smith; Bankruptcy Case No. 14-04358 (“the First Bankruptcy Case”), by filing a petition for relief under Chapter 13, Title 11 U.S.C. with the Clerk of this Court on May 30, 2014. This Court entered an Order dismissing the First Bankruptcy Case on November 20, 2014. The Debtors then commenced this bankruptcy case by filing a petition for relief under Chapter 13, Title 11 U.S.C. with the Clerk of this Court on May 6, 2015. The automatic stay provisions of 11 U.S.C. §362(a) are in effect at this time with respect to all creditors. The Debtors request that this matter be set on an expedited basis, however, because pursuant to 11 U.S.C. §362(c)(3)(A), the automatic stay shall terminate on the 30th day after the filing of this bankruptcy case.

3) Notice: To satisfy LBR 9075-1(d) Debtors’ counsel will send a copy of this motion and any subsequent Expedited Order to the United States Trustee and Chapter 13 Trustee via electronic service through the ECF filing system. Debtors’ counsel will further give notice by first class mail to all other parties-in-interest to this case to comply with Fed. R. Bankr. P. 7004, as incorporated through Fed. R. Bankr.

P. 9014. After noticing the above parties with the motion and subsequent Order setting a hearing, Debtors' counsel will file a Certificate of Service evidencing such.

4) Suggested Hearing Date: The Debtors propose that the expedited motion be set for hearing on May 27, 2015, at 8:30 a.m. in Courtroom 1, Customs House, 701 Broadway, Nashville, Tennessee.

5) In support of this Motion, the Debtors would show the Court that this bankruptcy case is filed in good faith. In further support of this Motion, the Debtors would also show the Court that they have complied with 11 U.S.C. §§109(h) and 521(a)(1).

WHEREFORE, Debtors request that this Court grant this Motion and extend the automatic stay provisions of 11 U.S.C. §362(a) in this case indefinitely pending further orders of this Court.

Respectfully submitted,

/s/ *Edgar M. Rothschild, III*

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